R E M A R K S

An Office Action was mailed on March 6, 2007, and declared Final. Claims 1-14 and 16-20 are pending.

Claims 1-3, 5, 8-10, 12-14, 16, 17 and 20 are rejected under 35 U.S.C. §102(a) as being anticipated by LexisNexis website printouts. Claims 6, 7, 18 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over LexisNexis in view of Shaw. Claims 4 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over LexisNexis in view of Official Notice. Reconsideration is respectfully requested.

Claim 1 requires:

"pre-defining one or more user-selectable limiting factors in a recommender system that limit <u>optimal processing</u> characteristics of a recommendation-generating process implemented in the recommender system;" and

"generating an output recommendation based at least in part on the processed input, the output recommendation being generated in accordance with an <u>optimal processing</u> as limited by the pre-defined one or more user-selectable limiting factors."

Applicant respectfully submits that LexisNexis fails to teach or reasonably suggest a recommender system that limits <u>optimal</u> processing characteristics in accordance with one or more user-selectable limiting factors. Instead, LexisNexis teaches limiting factors such as KWIC, FULL, All Pos, etc., that relate to the presentation of the generated recommendation, and that are selected by the user in connection with the presentation of the processed input. Such alleged "limiting factors" in LexisNexis have no bearing on the basic recommendation-generating <u>process</u> relative to an <u>optimal</u> processing characteristic. Furthermore, one skilled in the art would not want to limit the processing of a LexisNexis search for a given input relative to an optimal processing characteristic because then the quality of the generated recommendation would be suspect. The recommendation-generating process of the instant invention is fundamentally different from the process utilized in LexisNexis, which is intended to return an optimal recommendation for each given input.

Applicant further respectfully submits that LexisNexis, pages 3, 4 and 21-23, fails to show anything close to a ripeness indicator as set forth in claims 2, 13, and 16. The "precedential status" indicators have no bearing on the recommendation-generating <u>process</u> as claimed, but instead relate completely to recommendation <u>output</u>, and more specifically a by-product of the recommendation output. Furthermore, the different colors depicted in the precedential indicators clearly fail to exemplify a visual indicator for a ripeness indicator. Instead, the different colors are merely convenient status indicators of different types of precedents. Thus, Applicant further respectfully submits the LexisNexis fails to teach the use of a visual indicator as set forth in claim 3.

Applicant further respectfully traverses the Official Notice rejections to claims 4 and 11, because such rejections demonstrate a fundamental misconception with the focus of the present invention. The Examiner indicates that "it would have been obvious … to enable users to audibly determine the *match of results* based on a given criteria…" In the present case, the ripeness indicator does not audibly resonate with a particular "match" per se, but instead is indicative of a processing ripeness relative to one or more limiting factors during the processing of the recommendation generation.

The Examiner's results-based analysis is reflected again in the rejection to claims 6, 7, 18 and 19, which discuss pre-defined limits on processing time and power consumption. The Examiner's arguments end in "number of result listings which best match the user criteria according to how much time the user *has available to view the search results*." The pre-defined, user-selectable limiting factors of the present invention are <u>processing</u>-based factors, not recommendation-based factors, and are selected based on <u>processing</u> resources, not generated recommendations. The limiting factors are pre-defined based on certain processing criteria that would be compatible with, for example, a certain level of processing time or power consumption, and not how much time the user has to review the recommendations. One skilled in the art would realize that the totality of the prior art asserted herein is being asserted based on a results analysis, and not a processing analysis as stressed in the present claims and as discussed by the Applicant in Applicant's response of December 6, 2006.
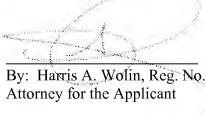
Simply stated, the prior art fails to teach or reasonably suggest the pre-defining of processing-side limiting factors that are used to control the manner in which a recommendation is generated. Manipulating the processing criteria independent of a given input allows a user to manipulate the quality, or the ripeness, of a recommendation for a given processing criteria. This is quite different from a LexisNexis recommendation that is generated independent of processing criteria but that is presented differently based on pre-defined input-based criteria.

Claims 14 and 17 have been similarly amended to focus on the limitation of the recommendation-generating *process*. Claim 14 discusses limiting the recommendation-generating process relative to an optimal processing characteristic, which is neither taught nor reasonably suggested in the prior art for the reasons discussed above. Claim 17 requires "generating a ripeness indicator associated with the *operation of the recommendation-generating process* as limited by the one or more pre-defined, user-selectable limiting factors," which is neither taught nor reasonably suggested in the prior art for the reasons discussed above.

In view of the above amendments and remarks, it is believed that claims 1-14 and 16-20 are in condition for allowance. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not already paid through an EFS-Web filing, may be charged to Deposit Account No. 50-3894. Any overpayment may be credited to Deposit Account No. 50-3894.

Respectfully submitted,

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

By: Harris A. Wolin, Reg. No. 39,432
Attorney for the Applicant

Please Address All Correspondence to:
Yan Glickberg, Registration No. 51,742
Phone: (914) 333-9618
CUSTOMER NUMBER 24737

- 8 -